

### REMARKS

The present application has been reviewed in light of the Office Action dated February 19, 2008. Claims 69-91 are presented for examination, of which Claims 69, 79, and 89 are in independent form. New Claims 90 and 91 have been added to provide Applicants with a more complete scope of protection. Claims 69-71, 73-75, 78-81, 83-85, 88, and 89 have been amended as to formal matters and/or to more clearly define aspects of Applicants' invention. Favorable reconsideration is requested.

As an initial matter, it is indicated in the Office Action Summary that none of the certified copies of the Japanese priority documents has been received for the present application. Applicants submit, however, that the certified copies were submitted during prosecution of the parent of the present application, Application No. 09/383,927, which now is U.S. Patent No. 6,717,689. Applicants respectfully request acknowledgment that the certified copies were received in Application No. 09/383,927 (see item 12 (a) (2) of the Office Action Summary).

The Office Action states that Claims 69, 71-79, and 81-89 are rejected under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over Claims 3-13, 18, 20-30, and 35 of U.S. Patent No. 6,717,689, corresponding to the parent of the present application; and states that Claims 70 and 80 are rejected under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over Claims 6 and 20 of U.S. Patent No. 6,717,689 in view of U.S. Patent No. 6,552,813 (Yacoub). Applicants respectfully traverse the double-patenting rejections and submit that independent Claims 69, 79, and 89 include the feature of an inhibition unit/step/code that "allows issuance of the job if the setting values of the job satisfy the predetermined condition," which is believed to be a non-

obvious feature that distinguishes the claims of the present application from Yacoub and from the claims of U.S. Patent No. 6,717,689. Accordingly, withdrawal of the double-patenting rejections is respectfully requested.

The Office Action states that Claims 69-73, 75-83, and 85-89 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yacoub; and that Claims 74 and 84 are rejected under § 103(a) as being unpatentable over Yacoub in view of U.S. Patent No. 5,978,560 (Tan et al.). Applicants respectfully traverse the rejections and submit that independent Claims 69, 79, and 89, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 69 is directed to an information processing apparatus for controlling via a communication medium a peripheral that processes a job for executing a predetermined service. The apparatus includes an obtaining unit and an inhibition unit. The obtaining unit is adapted to obtain, via the communication medium, function information that includes information indicating plural setting values executable by the peripheral. The inhibition unit is adapted to inhibit issuance of the job, if at least one of setting values of a job to be issued by the information processing apparatus does not satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit. If the setting values of the job satisfy the predetermined condition, the inhibition unit allows issuance of the job.

A notable feature of Claim 69 is that the inhibition unit inhibits issuance of the job or allows issuance of the job depending on whether the setting values of the job satisfy the predetermined condition. If at least one of the setting values does not satisfy the predetermined

condition, then issuance of the job is inhibited; and if the setting values satisfy the predetermined condition, then the job is allowed to issue.

Yacoub relates to a virtual printer that determines a printer to be used for a print job. (See the abstract.) Apparently, Yacoub teaches that the virtual printer automatically selects the “the most appropriate printer,” e.g., the fastest printer or the highest quality printer, from among a plurality of printers, in accordance with a user’s print-job preferences. However, Yacoub is silent regarding whether a print job is inhibited or allowed to issue based on setting values executable by a printer.

That is, nothing has been found in Yacoub that is believed to teach or suggest an information processing apparatus for controlling via a communication medium a peripheral that processes a job for a predetermined service, in which the apparatus includes “an inhibition unit adapted to, if at least one of setting values of a job to be issued by the information processing apparatus does not satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, inhibit issuance of the job,” wherein “the inhibition unit allows issuance of the job if the setting values of the job satisfy the predetermined condition,” as recited in Claim 69. Accordingly, Applicants submit that Claim 69 is not anticipated by Yacoub and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e).

Tan et al. is understood to be directed to a distributed printing system that balances the loads of the respective printers attached thereto. However, similar to Yacoub, nothing has been found in Tan et al. that is believed to disclose or suggest the inhibiting feature of

Claim 69. Accordingly, Applicants submit that Claim 69 is patentable over Yacoub and Tan et al., considered individually or in any permissible combination.

Independent Claims 79 and 89 include a similar inhibition feature to that of Claim 69. Therefore, those claims are believed to be patentable for at least the reasons discussed above. The other claims in the present application depend from one or another of Claims 69, 79, and 89 and therefore are submitted to be patentable for at least the same reasons. However, because each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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